

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under Ex Parte Quayle, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 16 February 2012 has been entered.

Detailed Action

This office action is a response to applicant's information disclosure statements submitted 16 February 2012. This application claims priority to foreign application Germany 102004019241.3, filed 16 April 2004. This application is a 371 of PCT/EP05/02201 filed 03 February 2005.

Claims 23, 27-41, 43 and 47-49 are pending in this application and are examined on the merits herein.

Information Disclosure Statement

For Foreign language references listed in the Information Disclosure Statement filed 16 February 2012, only the English abstract was considered.

Reasons for Allowance

Applicant's information disclosure statement submitted 16 February 2012 has been fully considered and is not found to be the basis for any new grounds of rejection against the claims previously allowed on 14 November 2011. Specifically, none of the cited references disclose or render obvious the instant invention which uses a cross-linked

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alginate (cross-linked before injection) solution in a concentration range of 0.4% to 1% w/v and having a specific molecular weight range for increasing tissue volume.

Accordingly, Applicant's information disclosure statement submitted 16 February 2012 is not seen to form the basis for any new grounds of rejection. Therefore the claims are allowed for the reasons previously of record in the notice of allowance submitted 14 November 2011.

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled, "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GANAPATHY KRISHNAN whose telephone number is (571)272-0654. The examiner can normally be reached on 8.30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shaojia A. Jiang can be reached on 571-272-0627. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ganapathy Krishnan/
Examiner, Art Unit 1623

/SHAOJIA ANNA JIANG/
Supervisory Patent Examiner, Art Unit 1623